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49455	7590	10/15/2009		
STEIN MCEWEN, LLP 1400 EYE STREET, NW SUITE 300 WASHINGTON, DC 20005			EXAMINER TOPGYAL, GELEK W	
			ART UNIT 2621	PAPER NUMBER
			NOTIFICATION DATE 10/15/2009	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

usptomail@smiplaw.com

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 9/8/2009 have been fully considered but they are not persuasive.

2. In re page 4-5, the applicants present the first argument that the Title Search Pointer Table 279 is merely a lookup table and that they are not control commands as recited in claim 1.

In response, the examiner respectfully disagrees. The examiner has to apply the broadest reasonable interpretation of the claimed "navigation data including *control commands which are used to select* the reproduction information". If the applicants argue that the Title Search Pointer Table 279 are not control commands used to select the reproduction information, it can be argued that without the existence of the Title Search Pointer Table 279, a title selected for reproduction by a user will not be possible. Hence, it is clear that the TT_SRPT 279 is being used by the system to control the selection of the video that is related to the title selected by the user.

3. In re page 5, the applicants argue that Figs. 26 and 27 of Taira et al. teaches that the TT_SRPT table 279 is recorded in the same area as the VTS and therefore does not correlate to the navigation data including control commands as recited in claim 1. The applicants support their argument with the description of Figs. 2, 3 and 9 from this instant application.

4. In response, the examiner respectfully disagrees. It is agreed that the TT_SRPT 279 is recorded in the VMGI file and that the VMGI file is recorded in the VMG file.

However, the applicant's assertion that the TT_SRPT would meet the limitation of the first file and not the second file is not understood by the examiner. As recited in the Final Rejection, the first file is met by the VTSI file (including the VTS_PTT_SRPT 299 data) and the second file is met by the VMG file (including the TT_SRPT 279 data). As furthermore discussed in the Final Rejection (page 4 where it clearly states "VTS_PTT_SRPT stored in the VTSI file and the TT_SRPT stored in the VMG file"), these two files are recorded separately in the recording medium (see Figs. 26, 27 and 44). Furthermore, the applicant's assertion that the VMG file and the VTS#n files are recorded together is contradictory to the description in the specification. The applicants admit in specification in paragraphs 3-7 that the VMG file and the VTS#n (includes VTSI) constitutes a file on its own. When the files are independent and distinguishable on its own they are separate. Neither of the two files overlaps the recording space of the other file and are therefore separately recorded on the recording medium.

5. In re pages 6-7, the applicants argue with respect to the rejection under 102(b) with regards to Kato et al. that the rejections were overcome as agreed in the Interview Summary mailed May 12, 2009. The applicants argue that the Virtual Playlist is a merely a list of virtual domains and does not correspond to the second file.

6. In response, the examiner respectfully disagrees. The agreement reached in the interview was only regarding the first set (where the second file was met by the "clip information file" of Kato) of 102(b) rejections under Kato et al. The second set (where the second file was met by the Virtual Playlist of Kato et al.) of rejections were not a topic of discussion at all during the interview nor was it discussed in the applicants

arguments filed 2/12/2009, this was noted in paragraph 2 of the Final Rejection mailed 7/7/2009.

7. Furthermore, the reality or the virtually of either of the real or Virtual Playlist does not merit any discussion as the claimed limitations is about the existence of a first file and second file. The Virtual Playlist includes IN and OUT points that correspond to the Real Playlist. When the Virtual Playlist is selected for reproduction, the system uses the IN and OUT points to *control* the reproduction of the video program utilizing the corresponding points within the Real Playlist. It is clear that the second file has control commands that are used to select the information stored in the first file (with the Virtual Playlist utilizing the Real Playlist for playback purposes).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GELEK TOPGYAL whose telephone number is (571)272-8891. The examiner can normally be reached on 8:30am -5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gelek Topgyal/
Examiner, Art Unit 2621

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